

REMARKS

New claims 20-27 are added. The new claims are supported by the originally-filed application at, for example, pages 10-16 and Figs. 4-7.

Claims 2-4 and 17 are objected to because of informalities. The claims are amended as suggested by the Examiner, and therefore, the objection against these claims is rendered moot.

Claims 1-19 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to set forth steps for the method. Similarly, claims 1-19 are rejected under 35 U.S.C. §101 because the claimed recitation of a use, without setting forth any steps involved in the process, allegedly results in an improper definition of a process. Independent claim 1 has been amended to recite method steps, and therefore, the §112 rejection and the §101 rejection are both rendered moot.

Still regarding rejections based on §112, second paragraph, claim 1 is rejected for the phrase "such as." The claim is amended to delete this phrase, and therefore, the rejection is rendered moot.

Still regarding rejections based on §112, second paragraph, claim 5 is rejected for several issues. Applicant addresses the issues raised by the Examiner, and therefore, the rejection is rendered moot.

Still regarding rejections based on §112, second paragraph, claims 8-9 are rejected for several issues. Applicant addresses the issues raised by the Examiner, and therefore, the rejection against these two claims is rendered moot.

Still regarding rejections based on §112, second paragraph, claim 18 is rejected for several issues. Applicant addresses the issues raised by the Examiner, and therefore, the rejection against claim 18 is rendered moot.

Claims 1-5, 7-9, 17, 18, and 19 are rejected under 35 U.S.C. §102(e) as being anticipated by Lai, et al. (U.S. Patent No. 6,836,371). Claim 6 is rejected under 35 U.S.C. §103(a) as being unpatentable over Lai, et al. in view of Guirao, et al. (U.S. Patent No. 6,511,180). Claims 10, 11, 15, and 16 are rejected under 35 U.S.C. §103(a) as being unpatentable over Lai, et al. in view of Morris, et al. (U.S. Patent No. 6,454,408). Claims 13 and 14 are rejected under 35 U.S.C. §103(a) as being unpatentable over Lai, et al. in view of Tagnon (U.S. Patent No. 3,722,986). Claim 12 is rejected under 35 U.S.C. §103(a) as being unpatentable over Lai, et al. in view of Abitbol (U.S. Patent No. 6,786,602).

Regarding the rejection against independent claim 1 as being anticipated by Lai, claim 1 is amended to recite “changing at least a portion of the **shape** of the at least one refracting surface to correct aberrations of higher order.” The amendment language is supported by the originally-filed application at, for example, pages 10-16 and Figs. 4-7. The invention of Lai is directed to depositing selected amounts of polymer on a substrate wherein the polymers have differing optical properties such that a combined effect is an average of the optical properties of respective polymers (column 2, line 60 to column 6). The following quote from Lai is a good example of the teaching:

...control over the optical properties of the individual polymer pixels is exercised by precisely depositing selected amounts of two or more polymer compositions, each having a different individual optical property, onto a substrate in the form of polymer pixels, such that the desired optical property is produced at any particular pixel in the resulting optical element by averaging the individual optical properties of the materials comprising each polymer pixel. This "averaging" may result when the constituents

of the two or more polymer compositions mix together to form a single pixel. Averaging of an optical effect may also be produced when the constituents of the two polymer compositions remain separated after deposition on the substrate surface, but are so small and close together that an eye or observing instrument perceives them to be a single pixel.


(col. 3, Ins. 16-32). Lai begins discussing the use of this teaching for spectacle lens at column 16, line 63 to column 18, line 13, and further disclosed at Fig. 8. Lai teaches to select a blank lens and then apply various combinations of polymer to the lens to allegedly modify the optical properties (column 17), but the **shape** of a surface of the blank lens is not changed. Accordingly, it is inconceivable that Lia, singularly or in any combination with the art of record, teaches or suggests "changing at least a portion of the **shape** of the at least one refracting surface to correct aberrations of higher order" as positively recited by claim 1. Claim 1 is allowable.

Claims 2-6, 9, 13-23 depend from independent claim 1, and therefore, are allowable for depending from an allowable independent claim.

This application is believed to be in immediate condition for allowance, and action to that end is respectfully requested. If the Examiner's next anticipated action is to be anything other than a Notice of Allowance, the undersigned respectfully requests a telephone interview prior to issuance of any such subsequent action.

Respectfully submitted,

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